

Serial No. 10/720,295

Docket No. 130497-1

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CENTRAL FAX CENTER****APR 17 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: S.M. Loureiro et al.
Serial No.: 10/720,295
Filed: November 24, 2003

: Group Art Unit: 1775
: Examiner: T.M. Speer
: Response to Paper No. 20060313

For: HIGH TEMPERATURE NANOCOMPOSITE AND
METHOD OF MAKING

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In an Office Action dated 21 March 2006, the Examiner restricted the claims of the present application into 2 groups: Group I—claims 1-46; and Group II—claims 47-61. Applicants hereby elect with traverse Group II, claims 47-61, for prosecution on the merits.

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions. MPEP 803. Here, the search and examination can be made without serious burden because the Group I and Group II embodiments are very closely related as a process for making and the product made. Although the Examiner has stated that the claimed product may be made by a materially different process, Applicants respectfully submit that the practicality of the method claimed in the present application creates a high likelihood that a search of the art for the product will necessarily overlap considerably with a search of the art for the process.

Applicants therefore respectfully submit that the requirement for restriction of Group II from Group I should not be maintained, and respectfully

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request that claims from Group I and Group II be considered together for prosecution on the merits.

Respectfully submitted,

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Monday, April 17, 2006